

2-28-05

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I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV 336622380 US, in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.
Dated: February 25, 2005 Signature: *[Signature]*
(Jim Yang)

Docket No.: 415072000101
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Jennie P. MATHER et al.

Application No.: 10/672,878

Confirmation No.: 9515

Filed: September 26, 2003

Art Unit: 1644

For: COMPOSITIONS AND METHODS FOR
GENERATING MONOCLONAL
ANTIBODIES REPRESENTATIVE OF A
SPECIFIC CELL TYPE

Examiner: Y. Kim

RESPONSE TO RESTRICTION REQUIREMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This is in response to the non-final Office Action mailed December 30, 2004, which set forth a restriction/election of species requirement for pending claims 1-27. A Response is due on January 30, 2005. A petition and fee for a one month extension of time are submitted herewith, extending the deadline for response to February 28, 2005. Accordingly, this response is timely filed.

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The Examiner has required restriction to one of the following inventions:

I. Claims 1-17, drawn to a method for producing a population of monoclonal antibodies, classified in class 435, subclass 326.

II. Claims 18-27 drawn to a method for producing lymphoid cells, classified in class 435, subclass 343.1.

The Examiner has further imposed an election of species requirement to elect one of the following specific substrates: a. collagen; b. fibronectin; c. laminin; d. poly-lysine; e. nitrocellulose; f. nylon; or g. polytetrafluoroethylene membrane.

The Examiner has further imposed an election of species to elect a specific cell type from the following: a. ASC; b. ESC; c. ROG; d. BUD; e. RED; f. NODD; g. BR516; h. RL-65; or i. NEP.

Applicants hereby elect Group I (claims 1-17), and further we elect species fibronectin (claims 1-6 and 8-17) and RL-65 (claims 1-17) without traverse. Applicants expressly reserve their right under 35 U.S.C. § 121 to file a divisional application directed to the nonelected subject matter during the pendency of this application, or an application claiming priority from this application. Applicants note that upon allowance of a generic claim, Applicants will be entitled to consideration of claims to additional species. Applicants request that upon the allowance of a generic claim, the remainder of the species be included as permitted by 37 C.F.R. §1.141(a).

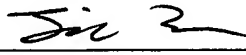
Applicants request examination of the elected subject matter on the merits.

In the unlikely event that the transmittal form is separated from this document and the Patent Office determines that an extension and/or other relief is required, Applicant petitions for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit**

Account No. 03-1952 referencing 415072000101. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: February 25, 2005

Respectfully submitted,

By 
Jie Zhou

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